

## Federal Crop Insurance Corporation, USDA

## § 400.677

or amended application or contract executed after October 13, 1994.

[61 FR 42975, Aug. 20, 1996. Redesignated at 63 FR 40634, July 30, 1998]

### §§ 400.656–400.657 [Reserved]

## Subpart U—Ineligibility for Programs Under the Federal Crop Insurance Act

AUTHORITY: 7 U.S.C. 1506(l), 1506(p).

SOURCE: 62 FR 42042, Aug. 5, 1997, unless otherwise noted.

### § 400.675 Purpose.

This rule prescribes conditions under which a person may be determined to be ineligible to participate in any program administered by FCIC under the Federal Crop Insurance Act, as amended. This rule also establishes the criteria for reinstatement of eligibility.

### § 400.676 [Reserved]

### § 400.677 Definitions.

*Act.* The Federal Crop Insurance Act, as amended (7 U.S.C. 1501 *et seq.*).

*Actively engaged in farming.* Means a person who, in return for a share of profits and losses, makes a contribution to the production of an insurable crop in the form of capital, equipment, land, personal labor, or personal management.

*Applicant.* A person who has submitted an application for crop insurance coverage under the Act.

*Authorized person.* Any current or past officer, employee, elected official, general agent, agent, contractor, or loss adjuster of FCIC, the insurance provider, or any other government agency whose duties require access to the Ineligible Tracking System to administer the Act.

*CAT.* The catastrophic risk protection plan of insurance.

*Controlled substance.* Any prohibited drug-producing plants including, but not limited to, cacti of the genus (lophophora), coca bushes (erythroxylum coca), marijuana (cannabis sativa), opium poppies (papaver somniferum), and other drug-producing plants, the planting and harvesting of

which is prohibited by Federal or state law.

*Debt.* An amount of money which has been determined by an appropriate agency official to be owed, by any person, to FCIC or an insurance provider under any program administered under the Act based on evidence submitted by the insurance provider. The debt may have arisen from an overpayment, premium or administrative fee non-payment, interest, penalties, or other causes.

*Debtor.* A person who owes a debt and that debt is delinquent.

*Delinquent debt.* Any debt owed to FCIC or the insurance provider, that arises under any program administered under the authority of the Act, that has not been paid by the termination date specified in the applicable contract of insurance, or other due date for payment contained in any other agreement or notification of indebtedness, or any overdue debt owed to FCIC or the insurance provider which is the subject of a scheduled installment payment agreement which the debtor has failed to satisfy under the terms of such agreement. Such debt may include any accrued interest, penalty, and administrative charges for which demand for repayment has been made, or unpaid premium including any accrued interest, penalty and administrative charges (7 CFR 400.116). A delinquent debt does not include debts discharged in bankruptcy and other debts which are legally barred from collection.

*EIN.* An Employer Identification Number as required under section 6109 of the Internal Revenue Code of 1986.

*FCIC.* The Federal Crop Insurance Corporation, a wholly owned government corporation within the United States Department of Agriculture.

*FSA.* The Farm Service Agency or a successor agency.

*Ineligible person.* A person who is denied participation in any program administered by FCIC under the Act.

*Insurance provider.* A reinsured company or FSA providing crop insurance coverage to producers participating in any Federal crop insurance program administered under the Act.